Status of case

Claims 1 through 20 are pending.

Claim Rejections under 35 U.S.C. § 101

Claims 8, 9 and 10 were rejected under 35 U.S.C. §101 as being directed to non-statutory subject matter. Applicants amend claims 8, 9, and 10 where it is believed appropriate.

Claim Rejections under 35 USC §§ 102, 103

Claims 1 and 8 were rejected under 35 U.S.C. §102(b) as being anticipated by Kotake (U.S. Patent Application No. 2002/0126914). Claims 1 and 8 recite a "video generating means for generating a video based, at least in part, on information from the position information assigning means." See also claim 10. This is in contrast to the cited references, including the Kotake reference, which does not generate the video based on any information from any position information assigning means. The Kotake reference teaches that the "capture unit" that captures the images are a plurality of video cameras (91-1 through 91-n). Paragraph [0044]. The Kotake reference further teaches the following:

> The output images from n video cameras 91-1 through 91-n of the capture unit 91 are input to the VCR 92-1 through 92-n respectively. The time code generation unit 95 provides a time code indicating a capturing time for each of the VCR 92-1 through 92-n. The VCR 92-1 through 92-n fetch the image input from the corresponding video camera and the time code from the time code generation unit 95, and record it as video data with the time code.

> FIG. 6 shows an example of the state of storing video data and position data (GPS measurement result data) in the image data storage unit 10. As shown in FIG. 6, the image data storage unit 10 stores a frame to which a time code is added and position data to which a time code is added. Therefore, the frame and the position data are associated with each other through the time code. In FIG. 6, video data from only one video camera is shown, but the video data is output from the corresponding number (n) of video cameras as described above.

Paragraph [0045]-[0046]. Thus, the Kotake reference generates the video in the ordinary way that video is generated, by using cameras 91-1 through 91-n. It is only after the video is generated that the position data is associated with the video. Fig. 6 of the Kotake reference shows the position data being associated with the video after the video is generated.

FIG.6

POSITION DATA (GPS MEASUREMENT RESULT DATA)

TIME CODE	POSITION(θ)	POSITION(ϕ)
00:00:00:01	135.000	35.000
00:00:00:02	135.002	35.001
00:00:00:03	135.004	35.002
00:00:00:04	135.005	35.002
...	...	...
00:00:00:10	135.010	35.008

VIDEO DATA

| TIME CODE	FRAME NUMBER	FRAME DATA
00:00:00:01	000001	
00:00:00:02	000002	
00:00:00:03	000003	
00:00:00:04	000004	
:	:	
00:00:00:10	000010	

This is unlike the limitations in claims 1 and 8, which recite using the information from the position information assigning means to generate the video. One example of this is a frame rate analyzer that analyzes the information from the position information assigning means in order to determine the frame rate of the video. Thus, claims 1 and 8 are patentable over the cited art.

Claims 3-4, 5-6 and 9-10 were rejected under 35 U.S.C. 103(a) as being unpatentable over Kotake in view of Rodden (U.S. Patent Application No. 2004/0107181). The Office Action states that the Kotake reference fails to teach any searching means or playback means. To remedy this deficiency, the Office Action relies on the Rodden reference as teaching the searching and playback means.

Applicants do not believe that the Rodden reference is prior art to the present application. The Rodden reference has a filing data of November 14, 2003 and claims priority to Provisional Application No. 60/426,200 filed on November 14, 2002. For convenience, Applicants enclose a copy of Provisional Application No. 60/426,200. The enclosed provisional application clearly lacks any disclosure regarding any searching means or playback means. Therefore, the earliest filing date for any alleged disclosure regarding the searching or playback means is November 14, 2003. However, the present application claims priority to Japanese Patent Application No.

P2003-109367 filed April 14, 2003. For convenience, a certified translation of Japanese Patent Application No. P2003-109367 is enclosed. As shown in the enclosed translation, the searching and playback means are disclosed in Japanese Patent Application No. P2003-109367, entitling Applicants to a priority date at least as early as April 14, 2003. Therefore, the Rodden reference is not prior art to the present application, and the present rejection based on the combination of the Kotake and Rodden references should be withdrawn

  Applicants further note that claims 4 and 6 relate to a "map display means for displaying two-dimensional map information and displaying, by superimposing on the two-dimensional map information, a travel locus based on the items of position information associated with the frames of the video displayed by the playback means." An example of the travel locus in the present application is depicted in Fig. 11 (reproduced below):

Fig.11   78   80
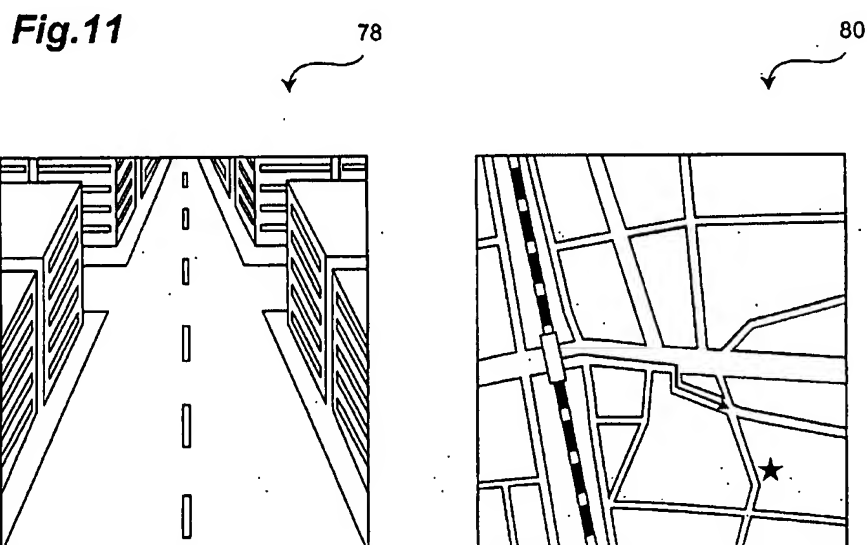
In particular, Fig. 11 shows an example of a display of a 2-dimensional map 80, with a travel locus (show as the star in map 80) superimposed on the map to indicate the position of the video for play on the playback. None of the cited references include any indication of a travel locus as recited in the claims.

  Applicants further add claims 11-16, which relate to displaying a direction of the video. An example of this is depicted in Fig. 12 (reproduced below):
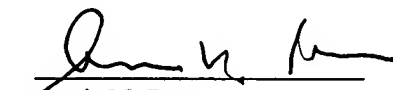
Fig.12   78
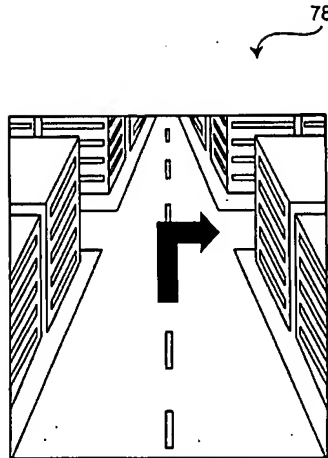
As discussed in the present application, "FIG. 12 illustrates an example of a picture being displayed on the screen by the playback section 72. When displaying a frame of a scene around an intersection, the playback section 72 refers to the position information associated with the frames of the video and if the position information associated with the frames to be displayed later indicates positions lying in the direction of the other street intersecting the intersection, displays a symbol indicating the route to the positions, as shown in FIG. 12." Thus, an example of the direction of the video is depicted as the arrow in Fig. 12. Finally, Applicants add claims 17-20 which are patentable over the cited art.

SUMMARY

Applicant respectfully requests early allowance of this application. The Examiner is invited to contact the undersigned attorneys for the Applicant via telephone if such communication would expedite this application.

Respectfully submitted,

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